

27. The skin contacting article according to Claim 24, wherein the material is selected from the group consisting of wool, hemp, cotton and sponge powder.

28. The skin contacting article according to Claim 17, wherein the natural organic impalpable powder is made of a material selected from the group consisting of silk, collagen, cellulose, chitin, chitosan, wool, hemp, cotton, sponge powder and whey.

29. The skin contacting article according to Claim 21, wherein the natural organic impalpable powder is made of a material selected from the group consisting of silk, collagen, cellulose, chitin, chitosan, wool, hemp, cotton, sponge powder and whey.

REMARKS

Newly presented Claims 24-29 are directed to preferred embodiments of the present invention in which the natural organic powder is specified as being made from a material selected from the group consisting of silk, collagen, cellulose, chitin, chitosan, wool, hemp, cotton, sponge powder and whey. Support for this amendment can be found on specification page 2, lines 20-22. No new matter has been added.

The Examiner has objected to the amendment filed August 4, 2000 under 35 USC 132 as introducing new matter into the disclosure. The Examiner's attention is directed to original specification page 4, lines 21-23 where it is stated that the natural organic impalpable powder can be firmly adhered to the base through the resin. As such, Applicants respectfully submit that no "new matter" has been added to the

present application and that the Examiner's objection under 35 USC 132 be withdrawn.

Claims 12-23 have been rejected under 35 USC 103(a) as being unpatentable over Mellul et al. Applicants respectfully traverse this ground of rejection and urge reconsideration in light of the following comments.

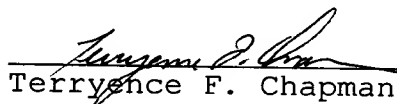
As explained previously, the instant invention is directed to a skin contacting article which comprises a base material having natural organic impalpable powder firmly adhered to a side of the base layer which contacts with skin. Since the natural organic powder is provided in an impalpable form and firmly adhered to the outer surface of the skin contacting article, it is suitable for use as tissue paper, wet tissue, a mask, gauze, and sanitary articles such as disposable diapers, diaper liners and sanitary napkins. The skin contacting article can also be used as a make-up tool for applying make-up such as a puff, sponge, make-up brush and face mask. Due to the impalpable powder being made of a natural organic material, the powder is easy to adhere to the base layer, has a good feel on the skin and is less likely to cause skin irritation. It is respectfully submitted that the reference cited by the Examiner does not disclose the presently claimed invention.

The Mellul et al reference discloses a powdered cosmetic composition consisting of an anhydrous powder and mainly including a solid particulate phase mixed with a fatty binder containing a silicone mixture. Although this reference discloses that the cosmetic compositions can be applied to the skin by an applicator such as a sponge, powder puff or brush, there is no disclosure in this reference which suggests that the cosmetic composition is firmly adhered to a base layer as required by the present claims. Moreover, the present invention requires that the powder be made of a natural

organic material while Mellul et al discloses at Column 5, lines 20 and 21, that the pigments used in the cosmetic composition are chosen from inorganic and/or organic pigments and/or pearlescent pigments. None of the organic pigments disclosed in this reference would be considered a natural organic material. As such, this reference does not disclose the use of a natural organic impalpable powder and the firmly adhering of the powder to a base layer. Therefore, the presently claimed invention clearly is patentably distinguishable over this reference.

The Examiner is respectfully requested to reconsider the present application and to pass it to issue.

Respectfully submitted,

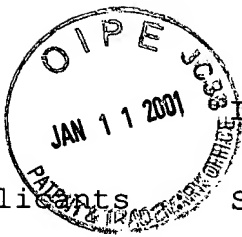

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136.9803



GAU 1615

PATENT APPLICATION

IN THE U.S. PATENT AND TRADEMARK OFFICE

January 8, 2000

RECEIVED
JAN 16 2001
TECH CENTER 1600/2300

Applicants: Satoshi MIKAMI et al

Title: SKIN CONTACTING ARTICLE

Serial No.: 09/341 328

Group: 1615

Filed: July 6, 1999

Examiner: Pulliam

International Application No.: PCT/JP98/00080

International Filing Date: January 13, 1998

Atty. Docket No.: Kinoshita Case 209

Box Non-Fee Amendment

Assistant Commissioner for Patents

Washington, DC 20231

Sir:

Herewith is an amendment in the above-identified application.

☐ Statement(s) re small entity status submitted previously.☐ Statement(s) re small entity status enclosed.☒ No additional filing fee is required.☐ The additional filing fee has been calculated as shown below:

For	No. Filed	No. Extra	(X) LG Entity	RATE	() SM Entity	Fee
Basic Fee				\$710.00	\$355.00	\$
Total Claims	(18 - 20 = 0)		x \$ 18.00		x \$ 9.00	
Indep. Claims	(3 - 3 = 0)		x \$ 80.00		x \$ 40.00	
[] Multiple Dep. Claim			+ \$270.00		+ \$135.00	
* * * TOTAL FILING FEE * * *						\$ 0.00

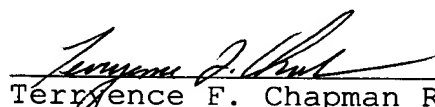
☐ A Check for \$ is enclosed to cover fees.☒ Please credit any overpayment, or charge any additional filing fee or application processing fee required under 37 CFR 1.16 or 1.17 by this communication, to Deposit Account No. 06-1382. A duplicate copy of this sheet is enclosed.

IN DUPLICATE

Respectfully submitted,

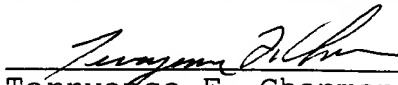
TFC/smd

Encl: Listed above


Terryence F. Chapman Reg. No. 32 549-----
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, DC 20231, on January 8, 2001.

Respectfully submitted,


Terryence F. Chapman

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